

REMARKS

Claims 29, 34, 35, 37-39 and 41-46 are pending. By this Response, claims 45 and 46 are added. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

The Office Action rejects claims 29, 34, 35, 37-39 and 41-44 under 35 U.S.C. §103(a) as being unpatentable over Ross, et al. (US 5,859,628) and Griffin, et al. (US 5,898,908). This rejection is respectfully traversed.

Independent claim 29 recites, *inter alia*, a monitoring circuit for monitoring the electric power level supplied through said power supply line.

Independent claim 34 recites, *inter alia*, monitoring, by monitoring circuit in said charging apparatus, the electric power level supplied through said power supply line.

Applicants respectfully submit that at least the above cited recited features are not taught by Ross or Griffin. Ross teaches a PDA cradle connected to a car system. The PDA cradle acts to charge a PDA and transfer data from the PDA to the car system. The PDA cradle, alleged by the Office Action to correspond to applicant's claimed charging apparatus, includes a lamp 106, IR link, receiver and a transmitter, card receiving slots 504, and power connection 310. See Fig. 5, column 5, lines 30-57. In Ross, the power is supplied through the push pins 310, which are connected to the vehicles battery, directly to the PDA contact strips 512. The lamp 106 receives data from the PDA, regarding the charging of the PDA's battery. The lamp turns from a color red when the batteries are being charged to a color green when the batteries are fully charged. See column 3, lines 55-61.

The Office Action alleges that the lamp 106 corresponds to the applicant's claimed monitoring circuit. The Office Action states that "one of ordinary skill would readily recognize that the indicator could be one color when charging and another color when the PDA is fully charged." See page 3 of the Office Action. Applicants respectfully submit that the independent claims 29 and 34 do not recite monitoring the power level of the batteries of the communication device connected to the charging apparatus. In the embodiments of applicant's invention as recited in claims 29 and 34, the monitoring circuit monitors the electric power level supplied through the supply line and not the charge status of the batteries of the communication apparatus or device connected to the charging apparatus. There is no relation of the lamp indicator monitoring the level of the power supplied through the cradle to the PDA in Ross's teaches. The lamp indicator merely teaches whether the batteries of the PDA are being charged or are fully charged. Thus, the lamp indicator does not teach applicant's claimed monitoring circuit.

Further, Griffin fails to make up for the deficiencies of Ross. Griffin teaches a portable RF telephone as capable of communicating to a vehicle cradle. The vehicle cradle includes a voltage regulator and charger 60, external microphone 58, external speaker 56, external antenna 66 and logic unit 68. The cradle is connected directly to a vehicle battery. The logic unit 68 controls operations of the external microphone, speaker and antenna. It also communicates with a phone when a hand free operation is used. See column 5, lines 49 through column 6, line 20.

The Office Action alleges that Griffin also teaches applicant's claimed monitoring circuit. The Office Action states "Griffin teaches that the charge control signal controls the battery charger 60 as necessary to recharge the battery 36 of the attached portable device." Applicants

agree with the Examiner that the charge control signal controls the battery charger to recharge the battery. However, this merely indicates that the recharging of a battery is controlled nothing more. Therefore, it merely determines the charge status of the battery, not the power level of the supply line. This is similar to Ross's system in which the charging of the battery is controlled and the lamp indicator indicates when the battery is fully charged. Nowhere does Griffin teach or suggest that the charge control signal or the battery charger monitors the electric power level supplied through said power supply line. In Griffin, the power is received directly from the car battery 64. Griffin does not teach or suggest the level of power from the battery is being monitored. What Griffin does teach is that "a vehicle battery 64 powers the voltage regulator and battery charger 60." See column 5, lines 52-53. The above is the only instance within Griffin's disclosure that specifically references the power supply, i.e., vehicle battery 64. In no way does this disclosure teach or suggest monitoring the electric power level supplied from the battery to the battery charger. Indeed, this teaching is absent in Griffin's disclosure.

Further, applicants note that newly added dependent claims 45 and 46 recite further features of the charging apparatus which are not taught by Ross or Griffin. Claim 45 recites a processor, a memory and communication controller within the charging apparatus. Applicants respectfully submit that these features are absent in Ross and Griffin's teachings. Further, claim 46 recites providing the monitored power level to a processor which is located in the charging apparatus and controlling the level of the power from the computer based on this monitor level. As discussed above, Ross and Griffin fail to teach or suggest monitoring of the level of the

power supplied from the power supply line let alone using this monitored level to control the electric power provided to the communication apparatus.

In view of the above, applicants respectfully submit that the combination of Ross and Griffin fail to teach each and every feature of applicant's independent claims 29 and 34. Dependent claims 35, 37-39 and 41-46 are also distinguishable for the above reasons as well as for the additional features they recite. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

For at least these reasons, it is respectfully submitted that claims 29, 34, 35, 37-39 and 41-46 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No.: 09/883,938

Docket No.: 0905-0262P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

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